

**MINUTES OF THE
CITY PLANNING COMMISSION
NOVEMBER 17, 2006
J. MARTIN GRIESEL CONFERENCE ROOM
TWO CENTENNIAL PLAZA – SUITE 700
805 CENTRAL AVENUE**

CALL TO ORDER

Mr. Faux called the meeting to order at 9:08 a.m.

Commission Members:

Present: Caleb Faux, Jacquelyn McCray, Donald Mooney, and Rainer vom Hofe

Community Development and Planning Staff: Margaret Wuerstle, Bonnie Holman, Steve Briggs, Felix Bere, Steve Briggs, Caroline Kellam and Jennifer Walke

Law Department:

Julia Carney

APPROVAL OF MINUTES

Submission of the minutes from the November 3, 2006 Planning Commission meeting for approval.

Motion:	Mr. Mooney moved approval of minutes.
Second:	Ms. McCray
Ayes:	Mr. Faux, Ms. McCray, Mr. vom Hofe and Mr. Mooney
Nays:	None, motion carried

CONSENT ITEMS

ITEM #1 A report and recommendation on dedicating a permanent easement to public use for construction, maintenance, repair and replacement of water mains and water main appurtenances in accordance with a plat entitled “Water Main Easement Plat, WSL #3490, Harrison Avenue” and authorizing the City Manager to execute said plat to quit-claim and release a water main easement.

ITEM #2 A report and recommendation on the dedication of permanent easements to public use for construction, maintenance, repair and replacement of water mains and water main appurtenances in accordance with plats designated as: “WSL #3477, Hearthstone Estates situated in Section 30, Town 5, Entire Range 1, Symmes Township, located at Shallow Creek Drive off of Enyart Road: and “WSL#3501, Fairway View Estates situated in Section 24, Town 3, Range 1, Delhi Township, located at Cleves

Warsaw Road: and “CIN #164, Adams Landing Village ‘A’ situated in Section 12, Township 4, Fractional Range 1, City of Cincinnati located at Riverside Drive off of Eastern Avenue” and “WSL #3510, Victory View situated in Sections 17 & 18, Town 3, Range 1, Delhi Township, Gwendolyn Ridge off of Foley Road” and “WSL #3439, The Trails of Fiddlers Green- Phase 2 – situated in Section 2, Town 1, Fractional Range 2, Miami Township, Fiddlers Ridge Drive at Fiddlers Green Road off of Bridgetown Road: and “WSL #3502, West Fork Ridge Subdivision situated in Section 24, Town 2, Fractional Range 2, Miami Purchase, Green Township at West Fork Road” and “CIN #156, Capri Woods situated in Section 24, Town 3, Fractional Range 2, Millcreek Township, City of Cincinnati located at Capri Road at Tahiti Drive off of North Bend Road.”

ITEM #3 A report and recommendation on the dedication of permanent easements to public use for construction, maintenance, repair and replacement of water mains and water main appurtenances in accordance with plats designated as: “CIN #166, Marburg Square situated in Section 21, Town 4, Fractional Range 2, City of Cincinnati, located Wasson Road” and “WSL #3476, Bridge Point Subdivision situated in Section 36, Township 2, Fractional Range 2, Green Township, located at Bridge Point Pass of Wesselman Road” and “WSL #3487, Cartha Lane situated in Section 13, Town 2, Range 1 East, Crosby Township at Crosby Road” and “WSL #3509, West Fork Estates Subdivision situated in Section 24, Town 2, Fractional Range 2, Green Township, West Fork Road” and “WSL #3476, Gridge Point Greens – Section 3 situated in Section 36, Town 2, Fractional Range 2, Green Township, located at Bridge Point Pass off of Wesselman Road.”

ITEM #4 A report and recommendation on accepting and confirming the dedication of permanent easements to public use for construction, maintenance, repair and replacement of water mains and water main appurtenances in accordance with plats designated as: “CIN #172, Villages of Daybreak, Phase 1, Block ‘A’, Rhode Island Avenue between Seymour Avenue and Langdon Farm Road” and “CIN #175, Rawson Farm Subdivision, Section 21, Town 3, Fractional Range 2, Rawson Farm Lane off of Clifton Avenue” and “WSL #3489, Colerain Hills Shopping Center, Section 8, Town 2, East Range 1, Colerain Township, Colerain Avenue” and “WSL #3491, Clearwater Crossings Residential Condominiums, Section 22, Town 2, Fractional Range 2, Miami Purchase, Green Township, Harrison Avenue” and WSL #3505, Kleeman Woods, Section 10, Town 2, Fractional Range 2, Green Township, Kleeman Road” and “CIN #167, Jonathan Meadows, City of Cincinnati, Jonathan Avenue off of Gilbert Avenue” and “WSL #3468, Indian Hill #10, Village of Indian Hill, Symmes Township, private drive off of Abbington Ridge at Humphrey Road” and “WSL #3496, 3666 & 3686 Cooper Road, Blue Ash.”

ITEM #5 A report and recommendation on the dedication of permanent easements to public use for construction, maintenance, repair and replacement of water mains and water main appurtenances in accordance with plats designated as: “WSL #3463, Section 31, Town 4, Range 2, Symms Township, Weekly Lane off of Mason Road: and “CIN #172, Villages of Daybreak, Phase 1, Block ‘A’, Trinity Alley and Renaissance Alley off of Seymour Avenue: and “CIN #174, Lunken Airport, Wilmer Avenue” and “CIN #152, Woodcrest Park Subdivision, Phase 2, Section 1, Town 2, Range 2, Oaktree Place and Sunset Avenue off of Queen City Avenue” and “WSL #3483, Jackson Homes Subdivision, Lincoln Heights, Thomas Court and Magee Avenue” and “WSL #3448, Eagles Watch at Ingram’s Ridge, Phase 2, Anderson Township, Cathedral Hill Drive off of Wolfangle Road” and “WSL #3476, Bridge Point Subdivision, Section Two, located in Section 6, Town 1, Fractional Range 2, Miami Township and Section 36, Town 2, Fractional Range 2, Green Township, Iron Bridge Way and Ruwe’s Oak Drive” and “WSL #3476, Bridge Point Subdivision, Section Two, located in Section 6, Town 1, Fractional Range 2, Miami Township, Bridge Point Pass at Wesselman Road.”

ITEM #6 A report and recommendation on the dedication of permanent easements to public use for construction, maintenance, repair and replacement of water mains and water main appurtenances in accordance with plats designated as: “WSL #3456, Bridgecreek, Section 21, Town 3, East Range 1, Springfield Township, Compton Road” and “WSL #3435, Ivy Trails, Anderson Township, Ivy Trails Drive and Stoney Ridge Drive at Eight Mile Road” and “WSL #3462, Crossings at the Park, Section 1, Town 2, Range 2, City of Springdale, Springdale Township, Crescentville Road” and “WSL #3471, Military Survey No. 618, Anderson Township, Wolfangle Road” and “WSL #3475, Stonegate Phase 3, Anderson Township, Private Lane A off of Stonegate Drive at Nagel Road.”

ITEM #7 A report and recommendation on the dedication of permanent easements to public use for construction, maintenance, repair and replacement of water mains and water main appurtenances in accordance with plats designated as: “WSL #3304, Western Woods Mall situated in Lot 1 of Western Woods Subdivision Bolck ‘C’, Section 14, Town 2, Fractional Range 2, Green Township, Parkcrest Lane off of Glenview Avenue” and “WSL #3419, Woodland View, Phase 2, Section 35, Town 2, Range 2, Green Township, Michelle’s Oak Court off of Rybolt Road” and “WSL #3454, Bigg’s – 5025 Delhi Pike, Section 11, Town 3, Fractional Range 1, Miami Purchase, Delhi Township” and “WSL #3456, Bridgecreek Easement #691, Section 21, Town 3, East Range 1, Springfield Township, Meredith Drive” and “WSL #3387, Over a Portion of Monte Vista Estates, Section Two and Monte Vista Estates, Section One, Block A, Section 36, town 2, Fractional Range 2, Green Township, Summit Lake Drive,

Boulder Path Lane, Boulder Path Drive and Telluride Way located off of Harrison Avenue” and “WSL #3459, Brentwood Plaza, Springfield Township, Winton Road” and “CIN #140, Lincoln Court North, City of Cincinnati, between Clark Street and Rhine Alley, and between Ezzard Charles Drive and Ruhr Alley, and between Clark Street and Ruhr Alley, and between John Street and Danube Alley, and between Clark Street and Weser Alley, and between Ezzard Charles Drive and Weser Alley” and “CIN #164, Adams Landing Subdivision, Village ‘D’, Section 12, Town 4, Fractional Range 1, Miami Purchase, Eastern Avenue.”

ITEM #8 A report and recommendation accepting and confirming the dedication of an easement to public use for pedestrian and utility purposes for the improvement of Park Avenue in accordance with a deed from the Board of Education of the City School District of the City of Cincinnati.

ITEM #9 A report and recommendation on an ordinance accepting and confirming the dedication of an easement to public use for street and utility purposes for the widening of Wickham Alley in accordance with a deed from Charter Development Company, LLC.

Motion: Mr. Mooney moved approval of Consent Items #1 - #9.
Second: Mr. vom Hofe
Ayes: Mr. Faux, Ms. McCray, Mr. vom Hofe and Mr. Mooney
Nays: None, **motion carried**

DISCUSSION ITEMS

ITEM #10 A report and recommendation to rename a portion of Eastern Avenue in the East End neighborhood to Riverside Drive from the intersection of Kellogg/Delta Avenues west to the intersection with the existing Riverside Drive.

Mr. Steve Briggs, Senior Planner, presented this item.

BACKGROUND:

In accordance with the City of Cincinnati Committee of Names, Procedure for Processing Proposals for the naming or renaming of City Facilities, as empowered by Resolution 16-2003, a request to change the name of Eastern Avenue in the East End neighborhood to Riverside Drive from the intersection of Kellogg/Delta Avenues west to the intersection with the existing Riverside Drive is submitted for your consideration.

The request was received from the East End Area Council. The East End Area Council conducted a comprehensive survey. The survey was mailed to property owners, residents

and businesses with frontage on Eastern Avenue from Kellogg Avenue/Delta Avenue intersection west to the intersection with the existing Riverside Drive.

All survey material was provided to City Staff and subsequently reviewed. Property owners were granted a vote for each property/parcel owned. Each business received one vote, whether on owner occupied property or leased from another property owner. Each resident received a vote regardless of property owner support. There were 325 survey ballots sent out.

Survey results as presented by the East End Area Council.

Property owners/residents in favor of change	189
Businesses in favor of change	24
Total votes in favor of change	213
Property owners opposed to change	31
Residents opposed to change	11
Businesses opposed	4
Total votes opposed to name change	46

There were 126 survey ballots returned as undeliverable

Staff reconfigured the survey by limiting individual voters with multiple votes in the survey to one vote each; the results are a better representation of survey results.

126 survey ballots returned undeliverable	39 %
88 survey ballots in favor of name change	27 %
77 survey ballots unaccounted for	24 %
<u>34 survey ballots not in favor of name change</u>	<u>10 %</u>
325 survey ballots sent out	100 %

Further review of the survey helps to clarify the results.

203 survey ballots undeliverable/unaccounted for	62%
<u>122 survey ballots counted for or against change</u>	<u>38%</u>
325 survey ballots sent out	100%

Of the 122 survey ballots counted, for or against a street name change the percentages are adjusted as follows:

88 survey ballots in favor of name change	72%
<u>34 survey ballots not in favor of name change</u>	<u>28%</u>
122 survey ballots counted for or against a change	100%

The City Staff attended the September 11, 2006 East End Area Council meeting to answer questions concerning the Committee of Names review process. At the meeting proponents for and against the name change were present.

The Committee of Names met on September 21, 2006. The Committee reviewed the General Criteria (Resolution 16-2003, Section V) and identified that survey results shall be considered. Street names should maintain continuity to facilitate 911 emergency responses. Historical issues and potential cost to individuals and businesses a name change might invoke should be considered.

The Committee of Names agreed that the request for the name change and survey prepared by the East End Area Council showed a sound commitment to evaluate a potential name change equitably. The survey results are perceived as a strong vote of support for a name change of Eastern Avenue to Riverside Drive by a majority of property owners and businesses. Changing the name of Eastern Avenue to Riverside Drive would provide continuity with the existing Riverside Drive. The street name Riverside Drive, if approved, would extend from E. Pete Rose Way to Delta/Kellogg Avenues. In 2002, the City Planning Commission approved the renaming of a portion of Eastern Avenue from E. Pete Rose Way to the Rookwood Railroad trestle.

The Committee of Names agreed that the historical reasons why the road was originally called Eastern Avenue is unclear other than being a right-of-way extending eastward from downtown Cincinnati. In fact, Eastern Avenue once extended from downtown eastwardly to the Linwood neighborhood following the base line of the hillsides.

The nearest historical reference is Fulton Landing, noted for its contribution to Ohio River heritage boat building located at the base of Mt. Adams. Fulton Landing was annexed into the City in 1855 and included the majority of what is East End Community. The area immediately east from St. Andrews Street to Delta Avenue was annexed in 1870. The Columbia-Tusculum area from Delta Avenue to Turkey Bottom Road was annexed in 1873.

A report from Department of Transportation and Engineering (DOTE) indicated there was no street dedication report synopsis in the DOTE right-of-way files. The road, Eastern Avenue, was apparently proposed in 1869 by an atlas notation. Additional property was obtained and the road was built somewhere between 1869 and 1894, as shown on Sanborn Fire Insurance maps dating to 1894. The road was improved to 66 feet wide including curbs, drainage and widening between 1912 and 1919 according to DOTE drawing files. Houses and street numbers first appeared on the 1894 map and are approximately where they are today.

A report from the Department of Community Development and Planning indicated there are several adopted plans that have used Eastern Avenue as a point of reference. The East End Plan of 1978 encompassing the neighborhoods of Linwood, Columbia-Tusculum and East End is an example where Eastern Avenue connects the neighborhoods together. The Study of the Cincinnati Riverfront, Policies and Land Use Plan of 1981 uses Eastern

Avenue as a benchmark for the northern extension of river land use plan recommendations through the East End neighborhood. The East End Riverfront Community Development Plan and Guidelines of 1992 has Eastern Avenue as the focal point for land use proposals north and south of the right-of-way.

The Committee of Names agreed that there would be additional costs to individuals and businesses relating to checking accounts, license renewal, letter heads, business cards, advertising listings and other inconveniences in regards to a potential name change. A DOTE representative indicated that the cost of street signage replacement would be approximately \$250 for each new sign including installation. There are 25 intersecting streets.

The Committee of Names Recommended to the Director of the Department of Community Development and Planning by a vote of three to one in favor of changing the name of Eastern Avenue to Riverside Drive from Kellogg Avenue/Delta Avenue intersection west to the intersection with the existing Riverside Drive.

PROCEDURE:

Pursuant to Section III, E of the Committee of Names Procedure for Processing Proposals, the Director of the Department of Community Development and Planning shall consider the Committee of Names' report and make a recommendation to the City Planning Commission. The Director is not bound by the Committee's recommendation but may include a copy of the Committee's report with the Director's report to the Planning Commission. The City Planning Commission shall consider the Director's recommendation and pursuant to its advisory powers under Article VII Section 9 of the City Charter, make a recommendation to City Council, together with any necessary and appropriate legislation.

RECOMENDATION

The Director of the Department of Community Development and Planning recommended that the City Planning Commission take the following action:

Approve the request to rename Eastern Avenue in the East End neighborhood to Riverside Drive from the intersection of Kellogg/Delta Avenues west to the intersection with the existing Riverside Drive.

DISCUSSION

Mr. Briggs gave a brief history of the proposal and presented a large map to illustrate the primarily residential portion of Eastern Avenue that would be affected by the name change. He described the results of the survey that was used by the East End Area Council to determine support and opposition of the name change.

Mr. vom Hofe asked why the name change had not been instituted four years ago when the existing Riverside Drive was named.

Mr. Briggs stated that at that time only the developer, Towne Properties, had requested the name change for the portion that is now Riverside Drive. Mr. Mooney added that, at the time, no one in the neighborhood had asked to change the remainder of Eastern Avenue to Riverside Drive.

Ms. McCray asked why the neighborhood was now interested in changing Eastern Avenue to Riverside Drive. Mr. Briggs explained that in the past couple of years the community has changed with the addition of new housing and residents and there is a desire for recognition of the location fronting the Ohio River.

Mr. Mooney stated that one of the pieces of correspondence included in the staff report voiced opposition to the name change and indicated a concern with the financial impact of the name change to residents and businesses, for changing drivers licenses, letterhead and signage. He asked how those practicalities would be handled. Mr. Briggs stated that if the name were changed, all of the appropriate utilities and agencies would be notified. The individual residents and business owners would be responsible for changes to licenses, letterhead and signage. He added that street numbers would remain the same.

Mr. Jeffrey Hendersen, lifelong resident and trustee of Mt. Carmel Baptist Church, stated that his family and the Church were against renaming Eastern Avenue to Riverside Drive. He also said the Mt. Carmel Baptist Church was not notified by the East End Area Council of the proposed name change in a timely manner.

Rev. Alma R. S. Solomon, longtime resident and member of the Metro CME Church, stated that the East End history was very important to her and her family. She said that the renaming of Eastern Avenue would be erasing history.

Mr. Brian Breneman, East End Area Council President, stated that the council conducted the survey very carefully and thoroughly. He said that in the spirit of fairness, the entire neighborhood was given the opportunity to participate in the survey instead of just the residents who attended the council meetings. He also said that he owns a residence and two businesses on Eastern Avenue and felt that the costs he would incur due to the name change would be outweighed by the benefits. He also noted that he had submitted e-mail comments.

Ms. Connie Greene, East End Area Council member, stated that one of the goals of the council is creating and maintaining a vibrant community on the Ohio River. She said that historically Eastern Avenue has had three different names and that changing it to Riverside Drive would benefit the community. She also said that the Mt. Carmel Baptist Church was included in the survey and notified about the proposed name change in the same time and manner as the other neighborhood churches, businesses and residents.

Mr. David Imboden, property owner, stated that if property owners were given one vote for each lot that they owned in the neighborhood, he believed that the percentage in favor of the name change would be even higher.

Mr. Jerome Imbus, resident, stated that he felt that the new name would not take away from the heritage of the area. He said that in the past the neighborhood was rough and that the renaming would showcase the recent revitalization efforts in the neighborhood. He added that the survey was democratic and that the name change should be approved.

Mr. Bob Little, East End resident and business owner, stated that he felt the survey was fair and the 37% response was a good representation of the residents and business owners. He said he felt the name Riverside Drive would be a tribute to the East End and its coveted location along the Ohio River.

Mr. Mooney stated that due to the positive changes in the neighborhood, the Riverside Drive name would provide a better description of the current location. Many people have invested in the area's revitalization and the name change will help to support these efforts.

Motion:	Mr. Mooney moved approval of Item #10
Second:	Mr. vom Hofe
Ayes:	Mr. Faux, Ms. McCray, Mr. vom Hofe and Mr. Mooney
Nays:	None, motion carried

Ms. Wuerstle requested that the By Leave Item #12 be heard next with Other Business Item #11 to follow.

BY LEAVE

ITEM #12 A report and recommendation of a Plat of Subdivision, Record Plat, for the Adams Landing Subdivision, Village B.

Mr. Steve Briggs, Senior Planner, presented this item.

BACKGROUND:

Woolpert LLP, civil engineers on behalf of Town/Adams Village B, LLC, the property owner, has submitted a Plat of Subdivision for the Adams Landing Village B Subdivision. The Plat has been reviewed and approved by all reviewing agencies.

This property is located on the north side of Riverside Drive east of the Martin Street Ramp and south of Columbia Parkway. The property is 3.534 acres in size and is zoned Planned Development (PD) No. 17. The PD zoning permits multiple buildings on a single lot.

The Adams Landing Village B is one of five villages to be built by Town Properties as a part of the overall Adams Landing Development. A modified Adams Landing Master Plan was reviewed by the City Planning Commission on September 20, 2002 and called for 600 units of housing in five villages that would be developed separately. The modified plan includes townhouses and mid-rise buildings of four to six stories in height.

The villages would be linked by sidewalks and landscaping. The original master plan for Adams Landing was approved in 1995 and proposed 1200 units of housing.

SUBDIVISION:

The Adams Landing Village B Subdivision is subdivided into 19 lots. Lots 1 through 18 comprise the attached town homes in clusters of three and four. The lots range in size from 2,150 square feet to 3,329 square feet. Lot 19 contains 106,288 square feet (2.440 acres) and is the open space lot with private drive, utility and sanitary sewer easements across the Riverside Drive frontage. The Subdivision Regulations permit lots that do not require street frontage within an approved planned development district.

RECOMMENDATION:

The staff of the Department of Community Development and Planning recommended that the City Planning Commission take the following action:

Approve the Plat of Subdivision, Record Plat, for the Adams Landing Subdivision, Village B, for the reasons that the plat conforms to the Subdivision Regulations and has approval of all reviewing agencies.

DISCUSSION

Mr. Briggs presented a brief overview of the staff report and used a large map to detail the location of the Adams Landing Subdivision.

Motion:	Mr. Mooney moved approval of Item #12
Second:	Ms. McCray
Ayes:	Mr. Faux, Ms. McCray, Mr. vom Hofe and Mr. Mooney
Nays:	None, motion carried

OTHER BUSINESS

ITEM #11 An update on implementation of the Over-the-Rhine Plan.

Ms. Jennifer Walke, Senior Planner, presented this item.

DISCUSSION

Ms. Walke gave a PowerPoint presentation on implementation of the Over-the-Rhine Plan. A summary of the accomplishments is attached as Exhibit A.

Mr. Mooney asked if staff were tracking the population growth from four to five years ago. Ms. Walke responded that staff is working on data that would show the impact of the addition of both market-rate and low income housing to the Over-the-Rhine area. Mr. Faux stated that he was impressed with the linkage between adoption of the plan and the City's distribution of funds and services. He stated that it showed that the City had followed through on some of the strategies in the Over-the-Rhine Plan. He asked what was being done with the plans that have not yet been addressed.

Ms. Walke stated that there was currently a façade improvement project and that staff was working to obtain additional funding for other projects. She added that much more work needs to be done to complete the plan and thanked the community agencies that have assisted in the endeavor.

Ms. Wuerstle stated that she supplied research materials to the Mayor's office regarding the role that City Planning Commissions across the country play in regards to Capital Improvement Budgets.

Mr. Faux stated that he had heard the proposed City Budget included a separate Planning Department. He stated that he supported keeping the Planning Department in the budget and asked that Ms. Wuerstle keep the Planning Commission informed on that issue.

**The Over-the-Rhine Plan implementation update is attached at the end of the Minutes as Exhibit A – Item #11.*

OTHER BUSINESS

Mr. Faux stated that he had been attended a Banks meetings and felt that things are moving in a positive manner on this project. He said that they are working on a new Master Plan and are contemplating an increase of residential square footage. He added that he suggested that the Banks team look at the High Street and I675 project in Columbus that was done by that city and ODOT.

ADJOURN

Motion:	Ms. McCray moved to adjourn
Second:	Mr. Mooney
Ayes:	Mr. Faux, Mr. Tarbell, Mr. Mooney and Mr. vom Hofe
Nays:	None, motion carried

Margaret A. Wuerstle, AICP
Chief Planner

Caleb Faux, Chair

Date: _____

Date: _____